

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)	
)	
Qwest Communications)	
International Inc.)	WC Docket No. 02-314
)	
Consolidated Application for Authority)	
to Provide In-Region, InterLATA)	
Services in Colorado, Idaho, Iowa)	
Montana, Nebraska, North Dakota)	
Utah, Washington, and Wyoming)	

REPLY DECLARATION OF LORI A. SIMPSON

**Checklist Item 2 of Section 271(c)(2)(B):
Unbundled Network Elements**

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TABLE OF EXHIBITS

Exhibit	Description
Reply Exhibit LAS-1	Qwest's October 11, 2002 Ex Parte on DSL Repair
Reply Exhibit LAS-2	Qwest Change Request Response Regarding DSL Expedite Process

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**Checklist Item 2 of Section 271(c)(2)(B):
Unbundled Network Elements**

Pursuant to 47 C.F.R. § 1.16, Lori A. Simpson declares as follows:

1. My name is Lori A. Simpson. My office is located at 301 W. 65th Street, Minneapolis, Minnesota. I am Director – Legal Issues for Qwest. I am the same Lori A. Simpson who filed declarations on behalf of Qwest in the Qwest I and Qwest II proceedings.
2. The purpose of this Reply Declaration is to address issues raised by Eschelon Telecom, Inc. (“Eschelon”) concerning Checklist Item 2, Unbundled Network Elements.

I. CHECKLIST ITEM 2 ISSUES

A. DSL – New Installations

3. Eschelon asserts that 21% of new DSL installations in September resulted in a repair before the DSL would function for the end-user customer.^{1/} Qwest was unable to recreate the underlying data represented in Eschelon Exhibit 35 in order to validate the claim. However, using the data provided by Eschelon with certain assumptions, there is no support for Eschelon's assertion. Further, the relevant performance measure, OP-5, New Service Installation Quality, does not in general support such new installation trouble rates for Eschelon.

4. Qwest was unable to recreate the data provided in Eschelon's comments. Exhibit 35 provided a list of 48 trouble reports that Eschelon claims are associated with new DSL installations from the month of September. Eschelon also referred to the total new DSL installations for September.^{2/} The data Eschelon provided is problematic from a validation perspective for several reasons:

- Eschelon identified 48 trouble reports in its Exhibit 35, but applied only 42 of them to the error rate in order to obtain its 21% figure. Eschelon provides no ready explanation for the 6 excluded trouble reports or which of the 48 were excluded.
- Qwest's analysis of the 48 trouble reports indicates that 14 of the associated new installations were completed in months other than September (2 in July, 10 in August, and 2 in October).

^{1/} Eschelon Qwest III Comments at 38 and Exhibit 35.

^{2/} *Id.* at 38 n.47.

- Qwest's analysis of the 48 trouble tickets indicates that one order was installed October 2, 2002. This trouble report should be excluded from the analysis; however, Qwest has no information to confirm that this was done.
- Eschelon applies as the denominator in its error rate calculation a total of 197 new install DSL orders that were installed in September. Because Eschelon provided no detail about how it reached this figure, Qwest has no way to confirm that it is accurate.
- The trouble report information in Eschelon's Exhibit 35 was provided for UNE-P POTS and xDSL-I circuits. Qwest has no ready method to determine the DSL provider associated with the UNE-P POTS circuits.

5. Without the ability to validate the data provided by Eschelon, Qwest has no ability to determine whether there is a problem with new DSL service installation. Additionally, without the ability to verify the DSL carrier, for example, it is impossible to determine where the responsibility of the DSL failure resides.

6. For argument's sake, however, if one were to make certain assumptions to rationalize Eschelon's data, the 21% error rate cited by Eschelon still does not withstand scrutiny. Qwest analyzed the Eschelon data utilizing the following assumptions:

- Eschelon excluded 6 trouble reports from the 48 included in Exhibit 35 on the basis that they were closed in October.
- The total number of new DSL installations in September was 197.
- Trouble reports counted in the new DSL service installation quality error rate should only include those associated with the Qwest network that potentially may lead to DSL failure.

Given these assumptions, Qwest's analysis (see the table below) of the data provided by Eschelon results in a Qwest-facility-related trouble only 6.1% of the time.

Simpson Checklist Item 2 Reply Declaration

7. Qwest's analysis of Eschelon Exhibit 35 indicates that there is a discrepancy between the troubles reported by Eschelon and those that should be correctly charged as a Qwest network failure that would prevent DSL from working. Qwest used its own repair systems to verify the trouble resolution of these trouble reports in its analysis. Of the 42 trouble reports Qwest assumes to be in Eschelon's calculation, only 12 potentially may have resulted in a failure of the DSL circuit. When the 12 trouble reports – those that were for Qwest facility reasons as well as the bad range extension cards – are compared to the 197 new DSL orders Eschelon claims to have processed in September, the resulting error rate is 6.1%. Even if the 2 undetermined trouble reports are included in the Qwest network category, the result is still only 7.1%.

Trouble Category	Number of Troubles Reported	Percent by Trouble category based upon the 42 Tickets provided (+ .1%)	Percent by Trouble category based upon Sept Eschelon Order Volume (± .1%)
NTF (no trouble found)	18	42.8%	9.1%
Qwest Facilities	10	23.8%	5.1%
Eschelon Reasons/ CPE	6	14.3%	3.0%
Qwest Bad Range Extension Card	2	4.8%	1.0%
Unknown*	2	4.8%	1.0%
Qwest Dispatched and Tagged	2	4.8%	1.0%
Qwest Dispatched and Found Tagged	2	4.8%	1.0%
Total	42		
Eschelon September Order Volume	197		

* Unknowns are categorized as tickets without narratives, unclear histories of technician work, or un-retrievable from Archive.

8. Finally, Qwest's commercial performance results for New Service Installation Quality are contained in the PID metric OP-5. This measure includes the reportable trouble reports that are caused by the Qwest network

within 30 days of the new installation compared against the previous two months' average number of inward line installation orders. Performance is reported as an accuracy figure as opposed to an error rate. However, when viewed as its complement, OP-5 does result in an error rate. In aggregate, Eschelon's error rate using OP-5 data over the past 6 months averages between a little over 2% and 7%. While the analysis provided by Qwest certainly could be more rigorous in terms of the provided data, the 6-7% error rate allows for the reasonable assumption that new DSL installation error rate for Eschelon falls within this range as well.

B. Qwest Has Records for Repair of Qwest DSL Service Provided with UNE-P Service

9. Eschelon alleges in its comments that the manual process Qwest implemented to address Eschelon's earlier complaints about DSL repair addresses only future-ordered services, but not existing services.^{3/} In fact, as of September 27, 2002, Qwest had created repair records for all such existing services, so that repair reports may be taken from Eschelon or other CLECs as necessary. Qwest's solution to the problem therefore encompasses both current and future accounts.

^{3/} Eschelon Qwest III Comments at 39; *see also* Qwest II Simpson Reply Decl. at ¶¶ 3-6. The details of Qwest's solution are described in an ex parte filed with the Commission on October 11, 2002, which is attached to this declaration as Reply Exhibit LAS-1.

C. Qwest Has Processes in Place for Expediting or Escalating Installation of DSL

10. Eschelon alleged in prior comments that when a Qwest retail end user's service is converted to UNE-P service, if Qwest disconnects the DSL in error during the conversion, Qwest sets a standard due date to re-install the DSL.^{4/} Eschelon now acknowledges that Qwest's response to this assertion has successfully addressed the issue but now complains that Qwest has not provided to CLECs a written process that ensures the same-day escalations will continue.^{5/} Qwest's escalation process is documented on Qwest's web site for CLECs.^{6/} Qwest will maintain processes or procedures that it has implemented in response to the issues raised by Eschelon concerning Qwest DSL service disconnected in error during conversions of existing services to UNE-P service until and unless such processes or procedures are no longer necessary or are replaced with other such processes or procedures that address the issues. As may be required by the Change Management Process ("CMP"), Qwest will advise and notify CLECs of any changes in Qwest's processes or procedures requiring such advice or notification. Finally, Qwest supplied a written response to the Change Request submitted to Qwest by Eschelon concerning expediting or escalating installation requests for Qwest DSL service with existing UNE-P service. A copy of that response is attached as Reply Exhibit LAS-2.

^{4/} Eschelon Qwest II Comments at 23.

^{5/} Eschelon Qwest III Comments at 39-40.

^{6/} See <http://www.uswest.com/wholesale>, Customer Service.

D. Early Disconnection of DSL (Before Voice)

11. Eschelon alleges that the “DSL – Qwest Disconnects DSL Early (Before Voice)” issue remains open, as Eschelon claims that Qwest indicated that it is working on a systems change to address the issue but that it has not yet been implemented.^{7/} Qwest is considering whether it can implement a change in its processes or systems to address this situation. When an existing retail or resale service with Qwest DSL service is converted to UNE-P with Qwest DSL service, a “disconnection” and a “new installation” order may be issued to complete the conversion. In such a case, the Qwest DSL service “disconnection” order is worked in a “time-certain” window. This means that Qwest cannot at this time force its systems to work the disconnection order at a time specified by Qwest, which would be concurrent with the time the “new installation” order is worked. This constraint applies to both retail and wholesale DSL disconnection orders, whether the disconnection order is to truly discontinue service, or is part of a move of service to a new address, or is part of a conversion to another local service provider. Qwest is currently investigating alternative solutions that would allow the DSL service to remain functional until the time the voice service is converted to UNE-P. These solutions are being analyzed, and Qwest will communicate proposed changes to the CLECs via the Change Management Process (“CMP”).

^{7/} Eschelon Qwest III Comments at 39.

II. CONCLUSION

12. Commenters have not identified any areas where Qwest's policies and practices are inconsistent with federal law or with the final orders of the states included in this Application. Therefore, none of the issues addressed in this Reply Declaration should prevent the Commission from approving Qwest's Application. All of the State Regulators have found that Qwest provides competitors with nondiscriminatory access to UNEs in compliance with Checklist Item 2. This Commission should do the same.

13. This concludes my Reply Declaration.

VERIFICATION

I declare under penalty of perjury that the foregoing is true and correct.

Lori A. Simpson

Executed on October ____, 2002.